

**REMARKS**

In the non-final Office Action, the Examiner rejects claims 23-26 under 35 U.S.C. § 101 as directed to non-statutory subject matter; rejects claims 1-4, 8-10 and 17-26 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,865,266 to Pershan (hereinafter "Pershan"); rejects claims 5-7 under 35 U.S.C. § 103(a) as being unpatentable over Pershan in view of U.S. Patent 7,313,131 to O'Connor et al. (hereinafter "O'Connor"); and allows claims 11-16.

By way of the present Amendment, Applicants have amended claims 1, 8, 15, 17 and 23-26 to improve form. No new matter has been added. Claims 1-26 remain pending. The rejections are traversed.

Examiner Quynh Nguyen is thanked for the productive telephone interview on May 27, 2008. Specifically, the section 101 and section 103 rejections were discussed in the interview, and agreement was reached regarding claim language to overcome these rejections. Applicants also note with appreciation the indication that claims 11-16 are allowable.

Claims 23-26 stand rejected under 35 U.S.C. § 101, as allegedly being directed towards non-statutory subject matter. As was agreed in the telephone interview, claims 23-26 have been amended to recite a "tangible computer-readable medium," which addresses the Examiner's concerns regarding claims 23-26. Accordingly, Applicants respectfully request withdrawal of this rejection of claims 23-26.

Claims 1-4, 8-10, and 17-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pershan. Applicants respectfully traverse this rejection.

Amended claim 1 recites a method for performing release trunking for calls originating and terminating outside of an IP address space, the method comprising: establishing a call from

an originator in a first address space outside of the IP address space to an IP device within the IP address space; sending, from the IP device, a message to a switch in the first address space indicating a new destination in the first address space; releasing the established call from the IP device, such that resources of the IP device are not used for a call from the originator in the first address space to the new destination in the first address space; and establishing a second call from the originator in the first address space to the new destination in the first address space. This combination of features is not disclosed or suggested by Pershan.

The Examiner agreed in the telephone interview, that claim 1 would be allowable over Pershan if rewritten to include the feature of "releasing the established call from the IP device, such that resources of the IP device are not used for a call from the originator in the first address space to the new destination in the first address space," which is similar to a feature recited in allowed claim 11. While not acquiescing in the rejection of claim 1, but merely to expedite prosecution, Applicants have amended claim 1 to incorporate this feature. For at least this reason, amended claim 1 is in condition for immediate allowance. Accordingly, Applicants respectfully request withdrawal of the rejection and allowance of claim 1.

Claims 2-4 and 8-10 depend from claim 1 and are, therefore, patentable over Pershan, for at least the reason given above for claim 1.

Amended independent claim 17 recites features similar to, but of different scope than, claim 1. For reasons similar to those discussed above with respect to claim 1, Applicants submit that claim 17 is patentable over Pershan. Accordingly, withdrawal of the rejection and allowance of claim 17 are respectfully requested.

Claims 18-22 depend from claim 17 and are, therefore, patentable over Pershan, for at least the reason given above for claim 17.

Amended independent claim 23 recites features similar to, but of different scope than, claim 1. For reasons similar to those discussed above with respect to claim 1, Applicants submit that claim 23 is patentable over Pershan. Accordingly, withdrawal of the rejection and allowance of claim 23 are respectfully requested.

Claims 24-26 depend from claim 23 and are, therefore, patentable over Pershan, for at least the reason given above for claim 23.

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pershan in view of O'Connor. Applicants respectfully traverse this rejection.

Claims 5-7 depend from claim 1. The disclosure of O'Connor does not remedy the deficiencies of Pershan, as described above with respect to claim 1. Accordingly, withdrawal of the rejection and allowance of claims 5-7 are respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

As Applicants' amendments and remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

By: /Steven S. Kelley, Reg. No. 43449/  
Steven S. Kelley  
Registration No. 43,449

Date: May 28, 2008

11350 Random Hills Road  
Suite 600  
Fairfax, Virginia 22030  
(571) 432-0800

Customer Number: 25537